

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MORGAN COYNE and KEVIN W.
PEARSON,

Plaintiffs,

vs.

PARKSIDE CREDIT UNION,
EXPERIAN CORP., EQUIFAX,
TRANSUNION,

Defendants.

CV 24-14-M-DLC-KLD

FINDINGS AND
RECOMMENDATION

Plaintiffs Morgan Coyne and Kevin Pearson, both of whom are proceeding pro se, lodged their Complaint on January 19, 2024, and paid the associated filing fee on June 28, 2024. (Doc. 2). On October 17, 2024, the Court issued a show cause order giving Plaintiffs until November 14, 2024, to show good cause for failing to serve the above-named Defendants with a summons and copy of the Complaint within the 90-day period provided for in Rule 4(m) of the Federal Rules of Civil Procedure. (Doc. 8).

Plaintiffs responded to the show cause order (Doc. 9), and on November 20, 2024, the Court issued an order giving Plaintiffs until January 6, 2025, to provide proof of service. (Doc. 10 at 6). On Plaintiffs' motion, the Court extended that deadline and gave Plaintiffs until February 4, 2025, to provide proof service. (Doc.

14, 15). On January 29, 2025, the Court issued a summons with the names and addresses provided by Plaintiffs. (Doc. 16). As of the date of this Findings and Recommendation, Plaintiffs have not provided proof of service on any of the above-named Defendants and have made no further filings in the case.

The Court has repeatedly cautioned Plaintiffs that if they failed to provide proof of service by the court-ordered deadline, their claims might be dismissed without prejudice for failure to comply with Rule 4(m). (Doc. 10 at 6-7; Doc. 15 at 2). Accordingly,

IT IS RECOMMENDED that that this matter be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m), and Plaintiffs' Motion for Judgment and Hearing (Doc. 12) be DENIED AS MOOT.

**NOTICE OF RIGHT TO OBJECT
TO FINDINGS & RECOMMENDATION
AND CONSEQUENCES OF FAILURE TO OBJECT**

Plaintiffs may object to this Findings and Recommendation within 14 days. See 28 U.S.C. § 636(b)(1). Failure to timely file written objections may bar a de novo determination by the district judge and/or waive the right to appeal.

DATED this 20th day of February, 2025.



Kathleen L. DeSoto
United States Magistrate Judge